

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION

DAVID WILLIAMS

PLAINTIFF

CIVIL ACTION NO. 2:17cv152-KS-MTP

INV. SGT. JASON MYERS, *et al.*

DEFENDANTS

**ORDER SETTING OMNIBUS HEARING**

This matter came before the court *sua sponte* for purposes of case management and the court finds that a screening hearing should be held to ensure that this case proceeds expeditiously. At this hearing, the court will seek: 1) to determine if dismissal is appropriate under 28 U.S.C. § 1915A(b) or other applicable law; 2) to define the issues to be litigated; 3) to ascertain the potential witnesses or exhibits; 4) to provide appropriate assistance to the *pro se* litigant in obtaining evidence for trial; 5) to address pending motions, if any; and 6) to evaluate the case as appropriate. This hearing shall operate as a *Spears* hearing. *See Spears v. McCotter*, 766 F.2d 179 (5th Cir. 1985).

Accordingly,

IT IS, HEREBY, ORDERED:

1. That Plaintiff **DAVID WILLIAMS #83234** appear for a Screening Hearing before the undersigned United States Magistrate Judge at the **United States Courthouse, Courtroom 2, 701 N. Main Street, Hattiesburg, Mississippi** on **July 2, 2018 at 2:00 p.m.**

2. That a Writ of Habeas Corpus Ad Testificandum issue forthwith from this court, directing the Warden of the Central Mississippi Correctional Facility to transport the above named inmate to appear before this court at the **United States Courthouse, Courtroom 2, 701 N. Main Street, Hattiesburg, Mississippi** on **July 2, 2018 at 1:30 p.m.** for the screening hearing in this matter. Thereafter, upon being dismissed by the court, the prisoner shall be

returned to the Warden to be returned to the facility from which he came, or any other designated facility, wherein the inmate might be lawfully incarcerated.

3. The parties shall be prepared to discuss and identify any and all discovery requests or issues at the hearing.

4. The defendant(s) shall bring copies to the hearing for both the court and the plaintiff of all official documents regarding the plaintiff's incarceration at their facility. This shall include jail logs, RVR reports, and any other documentation relevant to the issues presented in the complaint.

5. If the complaint involves a medical claim, the defendant(s) shall bring copies to the hearing for both the court and the plaintiff of the plaintiff's medical records which are available to the defendant(s). The plaintiff shall also bring any available medical records to the hearing.

6. The parties shall be prepared to make a full statement of each and every claim or defense and how they propose to prove those claims or defenses.

7. The parties shall be prepared to discuss whether Plaintiff has exhausted his administrative remedies and shall bring all relevant documentation to the hearing, if available.

8. The parties shall be prepared to address pending motions, including but not limited to the Motion [35] to Substitute Party.

9. That if the parties fail in good faith to prepare for this hearing in accordance with this order, they may be sanctioned by the court as provided by the Federal Rules of Civil Procedure.

SO ORDERED, this the 11<sup>th</sup> day of June, 2018.

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s/ Michael T. Parker  
United States Magistrate Judge